

State of Arizona
Senate
Fiftieth Legislature
First Regular Session
2011

Senate Engrossed
FILED
KEN BENNETT
SECRETARY OF STATE

CHAPTER 181

SENATE BILL 1118

AN ACT

AMENDING TITLE 11, CHAPTER 3, ARTICLE 12, ARIZONA REVISED STATUTES, BY ADDING
SECTION 11-597.01; RELATING TO COUNTY MEDICAL EXAMINERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 11, chapter 3, article 12, Arizona Revised Statutes,
3 is amended by adding section 11-597.01, to read:

4 11-597.01. Duty to conduct identification meeting; exception;
5 definitions

6 A. ON RECEIPT OF NOTIFICATION FROM AN IMMEDIATE FAMILY MEMBER OF A
7 DECEDENT IN THE PHYSICAL POSSESSION OF THE MEDICAL EXAMINER, THE MEDICAL
8 EXAMINER SHALL CONDUCT AN IDENTIFICATION MEETING IN THE TIME FRAME PRESCRIBED
9 BY THIS SECTION, UNLESS IN THE PROFESSIONAL OPINION OF THE MEDICAL EXAMINER
10 AN IDENTIFICATION MEETING SHOULD BE DELAYED OR LIMITED BECAUSE THE RISK OF
11 LOSS OF FORENSIC EVIDENCE MAY COMPROMISE THE DEATH INVESTIGATION OF THE
12 MEDICAL EXAMINER OR THE DECEDENT'S BODY IS IN A PHYSICAL CONDITION THAT DOES
13 NOT ALLOW THE DECEDENT TO BE REASONABLY RECOGNIZED.

14 B. THIS SECTION DOES NOT LIMIT OR OTHERWISE RESTRICT OR AFFECT THE
15 COUNTY MEDICAL EXAMINER'S PROFESSIONAL JUDGMENT AND DISCRETION TO DETERMINE
16 THE NATURE AND EXTENT OF ANY DEATH INVESTIGATION OR POSITIVE IDENTIFICATION
17 OF A DEAD BODY.

18 C. IF AN IDENTIFICATION MEETING IS CONDUCTED PURSUANT TO THIS SECTION
19 OR OTHERWISE, THE COUNTY MEDICAL EXAMINER, ALL EMPLOYEES, AGENTS, CONTRACTORS
20 AND OTHER REPRESENTATIVES OF THE COUNTY MEDICAL EXAMINER AND THE COUNTY ARE
21 IMMUNE FROM CIVIL LIABILITY FOR ANY INJURIES OR DAMAGES OF ANY KIND ALLEGED
22 TO HAVE BEEN SUFFERED BY AN IMMEDIATE FAMILY MEMBER AS A RESULT OF OR ARISING
23 FROM AN IDENTIFICATION MEETING OR BY ANY OTHER THIRD PARTY DUE TO THE CONDUCT
24 OF THE IMMEDIATE FAMILY MEMBER ALLEGEDLY ATTRIBUTABLE TO OR OTHERWISE ARISING
25 OUT OF THE IDENTIFICATION MEETING. A CAUSE OF ACTION SHALL NOT ARISE AGAINST
26 THEM AS A RESULT OF THE IDENTIFICATION MEETING.

27 D. THE MEDICAL EXAMINER SHALL PROVIDE INFORMATION ON THE COUNTY
28 WEBSITE AS TO THE MEANS OF MAKING A REQUEST FOR NOTIFICATION.

29 E. FOR THE PURPOSES OF THIS SECTION:

30 1. "IDENTIFICATION MEETING" MEANS AN EXAMINATION OF PHOTOGRAPHS OR
31 VIDEOS OF THE DECEDENT OR ANY DISTINGUISHING MARKS OF THE DEAD BODY OR ANY
32 INFORMATION THAT MAY ASSIST THE IMMEDIATE FAMILY IN MAKING IDENTIFICATION.

33 2. "IMMEDIATE FAMILY MEMBER" MEANS, WITH RESPECT TO A PARTICULAR
34 DECEDENT, AN INDIVIDUAL WHO IS AT LEAST EIGHTEEN YEARS OF AGE AND WHO IS ONE
35 OF THE FOLLOWING:

- 36 (a) THE DECEDENT'S SPOUSE.
- 37 (b) THE DECEDENT'S CHILD.
- 38 (c) THE DECEDENT'S PARENT.
- 39 (d) THE DECEDENT'S GRANDPARENT.
- 40 (e) THE DECEDENT'S GRANDCHILD.
- 41 (f) THE DECEDENT'S SIBLING.
- 42 (g) THE DECEDENT'S LEGAL GUARDIAN.

1 3. "NOTIFICATION" MEANS A WRITTEN OR ELECTRONIC REQUEST TO THE MEDICAL
2 EXAMINER.
3 4. "TIME FRAME" MEANS FORTY-EIGHT HOURS, EXCLUDING WEEKENDS AND LEGAL
4 HOLIDAYS.
5 Sec. 2. Short title
6 This act may be cited as "Abby's Law".

APPROVED BY THE GOVERNOR APRIL 19, 2011.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 19, 2011.

Passed the House April 12, 2011,

by the following vote: 46 Ayes,

13 Nays, 1 Not Voting

[Signature]
Speaker of the House

Cheryl Laube
Chief Clerk of the House

Passed the Senate February 8, 2011,

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting

[Signature]
President of the Senate

Charmine Bellington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

14 day of April, 20 11,

at 4:46 o'clock P. M.

Nicole Bendle
Secretary to the Governor

Approved this 19th day of

April, 20 11,

at 9:14 o'clock A. M.

[Signature]
Governor of Arizona

S.B. 1118

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 19th day of April, 20 11,

at 11:12 o'clock A. M.

[Signature]
Secretary of State